

1
2 BEFORE THE
3 DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY
4

5 IN THE MATTER OF:

6 RAUL MORENO, PROPERTY OWNER,

7 AND CARLOS CISNEROS, DBA

8 CHARLIE'S TIRE RECYCLING,

9 OPERATOR

10 TPID NO: 1527952

11 ASSESSOR PARCEL NO: 6071-021-014

} Cleanup and Abatement

} Order: No. 2011-010998-CAO

} Public Resources Code

} section 42845

12
13
14
15 **TO:** RAUL MORENO, PROPERTY OWNER, and CARLOS CISNEROS, DBA
16 CHARLIE'S TIRE RECYCLING, OPERATOR.

17 **PLEASE TAKE NOTICE THAT:**

18 You are the Operator of a Waste Tire Facility (WTF) known as Charlie's Tire Recycling
19 or Owner of property located at 1151 East Lanzit Avenue, Los Angeles Ca. 90059, Assessor
20 Parcel Number 6071-021-014, upon which Charlie's Tire Recycling is located, as those terms
21 are defined in Public Resources Code (PRC) sections 42804, 42805 and 42808 (Property
22 Profile for this site is attached hereto and incorporated herein by reference as Appendix A-1);
23 and;

24 The California Integrated Waste Management Board (CIWMB) which is now the
25 Department of Resources Recycling and Recovery (CalRecycle) has authority to act as the
26 enforcement agency for Waste Tire Facilities pursuant to PRC Section 42800 et seq., and is
27 the enforcement agency for this waste tire site. CalRecycle succeeded to CIWMB's authority
28 on January 1, 2010 pursuant to PRC section 40401(a)(1).

1 This site meets the definition of a major Waste Tire Facility as that term is defined by
2 PRC section 42808(b);

3 You are currently in violation of California Waste Tire Laws as prescribed by PRC
4 section 42800 et seq.;

5 The Operator has stored in excess of 5,800 waste tires on said property without
6 obtaining a "Major Waste Tire Facility Permit," in violation of PRC section 42834; and

7 The Los Angeles City Waste Tire Grantee inspected this site on August 25, 2011, as
8 documented in Inspection Report # I1-1161839, which is attached hereto and incorporated
9 herein by reference as Appendix A-2; and, and determined that 3,600 waste tires were being
10 stored on site; and

11 Los Angeles City Waste Tire Grantee issued a Notice of Violation to the Property
12 Operator on August 25, 2011 as documented in Inspection Report I1-1161839.

13 The Los Angeles City Waste Tire Grantee inspected this site on October 11, 2011 as
14 documented in Inspection Report # I1-1163424, which is attached hereto and incorporated
15 herein by reference as Appendix A-2; which determined that 5,826 waste tires were being
16 stored on site and referred this case to CalRecycle staff for enforcement; and

17 To date, you have not acquired a Waste Tire Facility Permit for this site;

18 You are in violation of PRC Section 42824 for accepting and storing 5,000 or more
19 waste tires on this site without obtaining a Major Waste Tire Facility Permit;

20 You are in violation of Title 14, California Code of Regulations (CCR), section 18420(a)
21 which requires every Operator of a major or minor Waste Tire Facility (WTF) that stores,
22 stockpiles, accumulates or discards waste tires to acquire a Permit; and

23 Since this site is deemed a "Waste Tire Facility" under the PRC section 42808, this site
24 is also subject to the same safety and security measures to which a permitted facility is
25 subject. These requirements are set forth in Appendix B to this order; and

26 CalRecycle has the authority to order WTF operators who are in violation of the
27 aforementioned law to clean up waste tire piles, abate the effects thereof, or otherwise
28 remediate a case of threatened pollution or nuisance pursuant to PRC section 42845(a); and

1 CalRecycle has the authority to seek administrative penalties of not less than five
2 hundred dollars (\$500) and up to ten thousand dollars (\$10,000) for each violation of a
3 separate provision or, for continuing violations, for each day that the violation continues,
4 against any person who violates any provision of this chapter, or any permit, rule, regulation,
5 standard, or requirement issued or adopted pursuant to this chapter as provided in PRC
6 section 42850 and 42850.1(b)(2);

7
8 **THEREFORE, PURSUANT TO PRC SECTION 42845, YOU ARE ORDERED TO:**

- 9 1. Cease violation of waste tire storage laws, including the creation of illegal waste
10 tires facilities pursuant to Public Resources Code section 42808.
11 2. Remove all waste tires from the premises within 30 days from the date of service
12 of Cleanup and Abatement Order, in accordance with the following waste tire
13 removal schedule.

14 a. Waste Tire Removal Schedule

- 15 i. Waste tires shall be removed from the premises. CalRecycle must
16 approve the destinations of the tires to ensure that a registered waste
17 tire hauler legally transports them to an approved facility.
18 ii. All waste tires (whole and/or tire equivalents) shall be removed by a
19 registered waste tire hauler within 30 days from the date of service of
20 Cleanup and Abatement Order. Comprehensive Trip Log (CTL)
21 manifest form CIWMB 203 must accompany each load and copies of
22 the CTL forms must be submitted to the CalRecycle within 45 days
23 from the date of service of Cleanup and Abatement Order. Failure to
24 comply with this provision may result in penalties pursuant to PRC
25 section 42961.5 and 42962.

26
27 **PLEASE TAKE FURTHER NOTICE THAT PURSUANT TO PRC SECTION 42845,**
28 **42850 AND 42850.1(b)(2):**

1
2 If the above actions are not completed or complied with by the specified dates,
3 CalRecycle may petition the superior court for injunctive relief to enforce this order and for civil
4 penalties in the amount of not less than \$500 and up to \$10,000 per day for each violation
5 pursuant to PRC section 42845, 42850 and 42850.1(b)(2). Liability for civil penalties may be
6 imposed in a civil action or may be imposed administratively pursuant to PRC section 42850 et
7 seq.

8 Pursuant to PRC section 42846.5, CalRecycle or its contractors may subsequently
9 enter your property for the purposes of abatement or remediation without your consent if such
10 an order setting liability is issued.

11 Failure to remove all of the tires by the required date may result in CalRecycle
12 expending available funds to perform any clean up, abatement, or remedial work required
13 under the circumstances set forth in PRC section 42845 et seq.

14 You have ten (10) days from the date of service of this order to file a petition with
15 CalRecycle raising any substantial issues that are appropriate for review. CalRecycle will
16 review the petition and respond within thirty (30) days from the date of receipt by CalRecycle.
17 Regardless of whether you file a petition, the above actions, ordered pursuant to PRC section
18 42845, must be completed as ordered.

19 If CalRecycle expends funds to perform any clean up, abatement, or remedial work,
20 CalRecycle may seek cost reimbursement from the operator or property owner pursuant to
21 PRC section 42847.

22 Moreover, funds so expended by CalRecycle constitute a lien upon the real property
23 owned by any responsible party that is subject to the remedial action, pursuant to PRC section
24 42847.5.

25 Nothing in this Cleanup and Abatement Order shall constitute or be construed as a
26 satisfaction or release from liability for any conditions or claims arising as a result of past,
27 current, or future operations of the Operator and/or Property Owner. Notwithstanding
28

1 compliance with the terms of this Order, Operator and/or Property Owner may be required to
2 take further actions as are necessary to protect public health or welfare or the environment.

3 CalRecycle shall not be liable for injuries or damages to persons or property resulting
4 from acts or omissions by Operator and/or Property Owner or related parties in carrying out
5 activities pursuant to this Order, nor shall CalRecycle be held as a party to any contract
6 entered into by Operator and/or Property Owner or their agent(s) in carrying out activities
7 pursuant to the Order.

8 This Clean Up and Abatement Order does not relieve the Operator or Property Owner
9 from complying with all other local, state, and federal requirements.

10 This Clean Up and Abatement Order may only be amended in writing by an appropriate
11 representative of CalRecycle.

12 If you have any questions concerning this Clean Up and Abatement Order, you may
13 contact Stephen D. Dolan of my staff at 805-256-5820.

14
15 Dated this 5th day of December, 2011.

16
17 

18 Lorraine Van Kekerix
19 Acting Deputy Director
20 Waste Compliance and
21 Enforcement Division
22 Department of Resources
23 Recycling and Recovery
24
25
26
27
28

APPENDIX A-1

PROPERTY PROFILE

1151 E Lanzit Property Report

Friday, November 04, 2011

11:51 AM

Property Profile

Date: 11/04/11

Reference Code: Charles Tire

PROPERTY ASSESSMENT RECORDS (Assessment 1 of 33)

Name Owner : MORENO RAUL
Property Address: 1151 E LANZIT AVE, LOS ANGELES, CA 90059-1559
Owner Address: 1151 E LANZIT AVE, LOS ANGELES, CA 90059-1559
County: LOS ANGELES
Data Source: A

TAX AND ASSESSMENT INFORMATION

Parcel Number: 6071-021-014
Document Number: 1899802
Legal Description: TRACT NO 6478 1.35 MORE OR LESS ACS COM N ON W LINE OF COMPTON CREEK PER FM 11128-3 45.49 FT FROM S LINE OF LOT A TH N ON SD W LINE 460.4 FT TH W TO A PT S 83 19'22" W 159.95 FT AND N 6 40' BEG PART OF LOT A
Subdivision Name: 6478
Land Usage: LIGHT INDUSTRIAL
Foundation: CONCRETE
Exterior Walls: TILT UP
Roof: FLAT COMPOSITION ROLL
Heating: PARTIAL
Building Area: 20000 ;
No. of Buildings: 2
Acres: 1.35 AC

Waste Tire Survey & Inspection Report

Survey Form - Page 1

Inspection Report Number
I1 -1161839

Part A - Survey

BLUE OR BLACK INK PEN

| | | | |
|---|--|---|--|
| Business Profile | | Inspection Details | |
| TPID - Site Suffix: 1527952-01 Local Identifier: 102-15 Business or Facility Name: CHARLES TIRE RECYCLING Physical Address: 1151 LANZIT AVE LOS ANGELES, CA 90059 Business Rep: CARLOS CISNEROS Title: OWNER | | Inspection Type (Fill one) <input type="radio"/> Routine <input type="radio"/> Re-Inspection <input checked="" type="radio"/> Referral <input type="radio"/> Observation If Referral, choose referral type (Fill one) <input type="radio"/> CHP <input checked="" type="radio"/> CalRecycle <input type="radio"/> Complaint <input type="radio"/> Educational Visit <input type="radio"/> Other Inspected By: 19-102 WEIR Inspector: Inspection Date: 08/25/11 Time In: 12:00 <input type="radio"/> AM <input checked="" type="radio"/> PM Time Out: 12:29 <input type="radio"/> AM <input checked="" type="radio"/> PM | |
| Tire Count (Whole/PTE): 3,600 GPS Latitude: Longitude: | | Operational Status (Fill one only) <input checked="" type="radio"/> Active <input type="radio"/> Closed <input type="radio"/> Inactive <input type="radio"/> Planned | Tire Type (Fill all that apply) <input checked="" type="radio"/> Passenger <input type="radio"/> Altered <input checked="" type="radio"/> Truck <input type="radio"/> OTR |
| | | Business Role (Fill all that apply) <input checked="" type="radio"/> Generator <input checked="" type="radio"/> Hauler <input type="radio"/> End-Use | Storage Type (Fill all that apply) <input checked="" type="radio"/> Outdoor <input type="radio"/> Indoor <input type="radio"/> Container |
| Business Type (Fill all that apply) <input type="radio"/> New Tire Dealer <input type="radio"/> Auto Repair <input type="radio"/> Trucking Fleet <input type="radio"/> Government <input type="radio"/> Retreader <input type="radio"/> Dismantler <input type="radio"/> Tire Derived Fuel <input type="radio"/> Used Tire Dealer <input type="radio"/> Auto Body <input type="radio"/> Car Dealer <input type="radio"/> Collection <input type="radio"/> Crumb Rubber <input type="radio"/> Service Station <input checked="" type="radio"/> Hauler <input type="radio"/> Agriculture <input type="radio"/> Shredder <input checked="" type="radio"/> Other SHIP TIRES OUT | | | |

Part B - Inspection of Waste Tire Dealer, Generator, Hauler and End-Use Facility

| V | A | HAULING AND MANIFEST REQUIREMENTS |
|----------------------------------|-----------------------|---|
| <input type="radio"/> | <input type="radio"/> | PRC § 42951 - Waste Tire Hauler Registration and Transport of Tires |
| <input checked="" type="radio"/> | <input type="radio"/> | PRC § 42953 - Contracts with Registered Waste Tire Haulers |
| <input type="radio"/> | <input type="radio"/> | PRC § 42956 - Registration/Decal in Vehicle |
| <input type="radio"/> | <input type="radio"/> | 14 CCR § 18459 - Responsible Entities Complying with Manifesting Requirements |
| <input type="radio"/> | <input type="radio"/> | 14 CCR § 18459.1 - Tire Program ID Number from CalRecycle |
| <input type="radio"/> | <input type="radio"/> | 14 CCR § 18459.2.1 - Submittal of Comprehensive Trip Logs within 90 days |
| <input type="radio"/> | <input type="radio"/> | 14 CCR § 18459.3 - Retention of Comprehensive Trip Logs for 3 years |
| <input type="radio"/> | <input type="radio"/> | 14 CCR § 18460.2 - Manifest System Requirements for Registered Waste Tire Haulers |
| <input type="radio"/> | <input type="radio"/> | 14 CCR § 18461 - Manifest System Requirements for Waste Tire End-Use Facilities |
| <input type="radio"/> | <input type="radio"/> | 14 CCR § 18462 - Manifest System Requirements for Tire Dealers or Waste Tire Generators |
| <input type="radio"/> | <input type="radio"/> | Other: § |

| | |
|---|---------------------------------|
| ENFORCEMENT STATUS | |
| <input checked="" type="radio"/> Notice Of Violation | <input type="radio"/> Extension |
| Compliance Deadline: | |
| Date: | 10/01/11 |
| (Required for NOV or EXT) | |
| <input type="radio"/> Referred / CalRecycle Enforcement | |
| <input type="radio"/> In Compliance - No Violations | |

Comments: **TIRES ARE SHIPPED OUT. TRANSPORTER IS NOT LEAVING MANIFESTS, BALING MACHINE IS BROKEN, TOO MANY TIRES ARE THERE UNTIL THE MACHINE GETS FIXED - 3 WEEKS.**

Inspection Form Included: ☐ **CalRecycle 181** 323-564-7704

Comments Included: ☐ **CalRecycle 181** 213-847-6260

Business Rep's Signature: **Carlos Cisneros** Phone Number: **323-564-7704**

Inspector's Signature: **[Signature]** Phone Number: **213-847-6260**

INSTRUCTIONS ON BACK

Correct: ☒ Incorrect: ☒ ☒

EXAMPLE 123

62081

White Copy: CalRecycle

Yellow Copy: Operator

Pink Copy: LEA



Waste Tire Survey & Inspection Report

Inspection Form - Page 2

SURVEY REQUIRED

Part C - Facility Information

BLUE OR BLACK INK PEN

| | | | |
|--|--|---|--|
| Business Profile | | Inspection Details | |
| TPID - Site Suffix: 1527952-01 | | Inspection Report Number: I1-1161839 | Inspection Number on the associated Survey form (Page 1) |
| SWIS Number: - | | Photos Taken <input checked="" type="radio"/> Yes <input type="radio"/> No | |
| Property Owner | | | |
| 1997 ADAMS INVESTORS LLC, 8720 SAN PEDRO ST., LOS ANGELES, CA 90003 (323) 789-7800 | | | |
| Exempt Business Type (Fill if applicable) | | Permitted Regulatory Status (Fill one) | |
| <input type="radio"/> PRC § 42823.5 - Cement Manufacturing Plant with written verification that the facility qualifies for exemption | | <input type="radio"/> Permitted <input type="radio"/> Exempt | |
| Excluded Business Types (Fill if applicable) | | <input type="radio"/> Excluded <input checked="" type="radio"/> Unpermitted | |
| <input type="radio"/> PRC § 42808 - Permitted Solid Waste Facility (Landfill, Transfer Station) | | Facility Type (Fill one) | |
| <input type="radio"/> 14 CCR § 18420 (a) (2) - Agricultural < 5,000 tires incapable of holding water & used for bumpers or ballast | | <input type="radio"/> Major WTF (≥ 5,000 Tires) | |
| <input type="radio"/> 14 CCR § 18420 (a) (4) - Tire retreading facility with no more than 3,000 waste tires on premises | | <input checked="" type="radio"/> Minor WTF (500 - 4,999 Tires) | |
| <input type="radio"/> 14 CCR § 18420 (a) (5) - Auto dismantler storing no more than 1,500 waste tires for less than 90 days | | | |
| <input type="radio"/> 14 CCR § 18420 (a) (7) & (e) - Tire dealer storing no more than 1,500 waste tires for 90 days | | | |

Part D - Inspection of Waste Tire Facility

| WASTE TIRE STORAGE STANDARDS | | V: A: | |
|----------------------------------|--|-----------------------|---|
| Permit Requirements | | <input type="radio"/> | <input type="radio"/> 14 CCR § 17352 - Site Security |
| <input type="radio"/> | PRC § 42824 - Major Waste Tire Facility Permit | <input type="radio"/> | <input type="radio"/> (a) Signs <input type="radio"/> (b) Site Attendant <input type="radio"/> (c) Access |
| <input type="radio"/> | PRC § 42834 - Minor Waste Tire Facility Permit | <input type="radio"/> | 14 CCR § 17353(a) - Vector Control |
| <input type="radio"/> | PRC § 42850(a) - Consents with Terms of Permit | <input type="radio"/> | <input type="radio"/> (1) Impervious Barrier <input type="radio"/> (2) Approved Vector Plan |
| <input type="radio"/> | 14 CCR § 18420(a) - Applicable for Permit | <input type="radio"/> | 14 CCR § 17354 - Storage of Waste Tires Outdoors |
| <input type="radio"/> | 14 CCR § 18423 - Filing Application for Permit | | <input type="radio"/> (a) Storage Units |
| <input type="radio"/> | 14 CCR § 18432 - Operations Plan | | <input type="radio"/> (b) Fire Lanes |
| <input type="radio"/> | 14 CCR § 18433 - Emergency Response Plan | | <input type="radio"/> (c) Fire District Requirements |
| | | | <input type="radio"/> (d) Drainage |
| | | | <input type="radio"/> (e) Slope/Grade |
| | | | <input type="radio"/> (f) Siting (New Facilities) |
| | | | <input type="radio"/> (g) Rim Removal |
| | | | <input type="radio"/> (h) Protection from Pyrolytic Oil Runoff |
| Recordkeeping Requirement | | | |
| <input type="radio"/> | 14 CCR § 18447 - Records Available | | |
| <input type="radio"/> | 14 CCR § 17351 - Fire Prevention Measures | | |
| <input type="radio"/> | (a) Communication Equipment | <input type="radio"/> | 14 CCR § 17356 - Indoor Storage |
| <input type="radio"/> | (c) Water Supply | | Facility Compliance with NFPA 231D-1989 |
| <input type="radio"/> | (b) Fire Equipment | | |
| <input type="radio"/> | (d) Other Requirements | | |

Comments

GAVE PERMIT REQUIREMENTS AND WASTE TIRE
TRANSPORTATION HAND-OUTS. CHECKING WITH TRANSPORTER
ABOUT GETTING MAJIRESE. WILL CHECK INTO GETTING
A MINOR FACILITY PERMIT.
TIRE COUNT IS AN ESTIMATE BY INVESTIGATOR
DOREEN PUSATERI WHO MEASURED AND PHOTOGRAPHED
THE TIRE PILE

INSTRUCTIONS ON BACK

Correct ☒ Incorrect ☐

EXAMPLE 123

15385

White Copy: CNYMB

Yellow Copy: Operator

Pink Copy: LSA





Facility: Charlie's Tire Recycling, TPID 1527952-01

Location: 1151 E. Lanzit Avenue, Los Angeles, CA 90059, Charlie's Tire Recycling

Taken: 08-25-11 by Investigator Doreen Pusateri at 12:12 p.m. using Investigator Weir's camera.

View: Taken from the driveway of the facility outside the office, looking to the east.

Observation: This Van, license plate number 5X96519, had a valid waste tire hauler decal 11-00110 and does not belong to this facility. The van belongs to Magallanes Tire Recycling, TPID 1557866, based in Calexico. They bring waste tires to this facility, the latest was a delivery of 1309 on 07-14-11.

Investigator Weir was inside the building talking with the business owner, Carlos Cisneros while Investigator Pusateri photographed and measured the waste tire piles. Mr. Cisneros stated that waste tires had built up because his baling machine was broken and it was going to be another three weeks before it was back up and operating.



Facility: Charlie's Tire Recycling, TPID 1527952-01

Location: 1151 E. Lanzit Avenue, Los Angeles, CA 90059, Charlie's Tire Recycling

Taken: 08-25-11 by Investigator Doreen Pusateri at 12:12 p.m. using Investigator Weir's camera.

View: Taken from the driveway of the facility outside the office, looking to the east.

Observation: This hauler decal was on a Van license plate number 5X96519 and does not belong to this facility. The van belongs to Magallanes Tire Recycling, TPID 1557866, based in Calexico. They bring waste tires to this facility, the lastest was a delivery of 1309 on 07-14-11.

Investigator Weir was inside the building talking with the business owner, Carlos Cisneros while Investigator Pusateri photographed and measured the waste tire piles. Mr. Cisneros stated that waste tires had built up because his baling machine was broken and it was going to be another three weeks before it was back up and operating.



Facility: Charlie's Tire Recycling, TPID 1527952-01

Location: 1151 E. Lanzit Avenue, Los Angeles, CA 90059, Charlie's Tire Recycling

Taken: 08-25-11 by Investigator Doreen Pusateri at 12:12 p.m. using Investigator Weir's camera.

View: Taken from just inside the facility gate looking to the east.

Observation: A shipping container was parked along the side of the building and waste tires were piled between the container and the building. There were other waste tire piles as well that are shown in other photographs.

Investigator Weir was inside the building talking with the business owner, Carlos Cisneros while Investigator Pusateri photographed and measured the waste tire piles.



Facility: Charlie's Tire Recycling, TPID 1527952-01

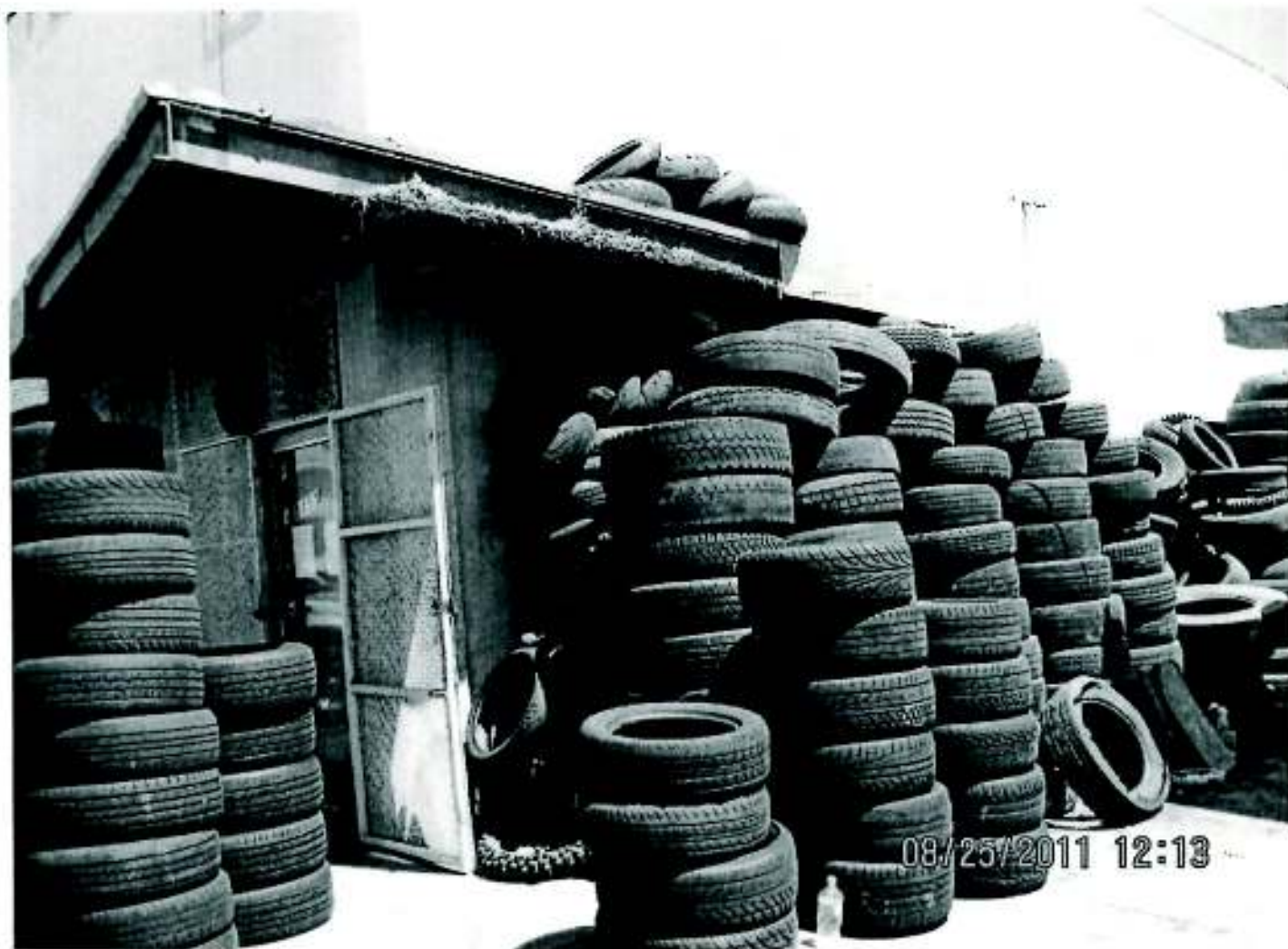
Location: 1151 E. Lanzit Avenue, Los Angeles, CA 90059, Charlie's Tire Recycling

Taken: 08-25-11 by Investigator Doreen Pusateri at 12:13 p.m. using Investigator Weir's camera.

View: Taken from the south side of the facility, looking to the east. This is between the shipping container that is being loaded and the building.

Observation: The vehicle, license plate number 8G39473, is one of the registered hauler vehicles for this location.

Investigator Weir was inside the building talking with the business owner, Carlos Cisneros while Investigator Pusateri photographed and measured the waste tire piles. Mr. Cisneros stated that waste tires had built up because his baling machine was broken and it was going to be another three weeks before it was back up and operating.



Facility: Charlie's Tire Recycling, TPID 1527952-01

Location: 1151 E. Lanzit Avenue, Los Angeles, CA 90059, Charlie's Tire Recycling

Taken: 08-25-11 by Investigator Doreen Pusateri at 12:14 p.m. using Investigator Weir's camera.

View: Taken from the driveway of the facility outside the office, looking to the east.

Observation: This view is from between the shipping container and the southwest corner of the facility where the office is located. Investigator Pusateri had the waste tires removed from the overhang.

Investigator Weir was inside the building talking with the business owner, Carlos Cisneros while Investigator Pusateri photographed and measured the waste tire piles. Mr. Cisneros stated that waste tires had built up because his baling machine was broken and it was going to be another three weeks before it was back up and operating.



Facility: Charlie's Tire Recycling, TPID 1527952-01

Location: 1151 E. Lanzit Avenue, Los Angeles, CA 90059, Charlie's Tire Recycling

Taken: 08-25-11 by Investigator Doreen Pusateri at 12:14 p.m. using Investigator Weir's camera.

View: Taken from the southern end of the back (east) side of the facility, looking to the northwest.

Observation: The vehicle, license plate number 8G39473, is one of the registered hauler vehicles for this location.

Investigator Weir was inside the building talking with the business owner, Carlos Cisneros while Investigator Pusateri photographed and measured the waste tire piles. Mr. Cisneros stated that waste tires had built up because his baling machine was broken and it was going to be another three weeks before it was back up and operating.



Facility: Charlie's Tire Recycling, TPID 1527952-01

Location: 1151 E. Lanzit Avenue, Los Angeles, CA 90059, Charlie's Tire Recycling

Taken: 08-25-11 by Investigator Doreen Pusateri at 12:14 p.m. using Investigator Weir's camera.

View: Taken from outside the facility gate and at the southeast corner of the facility looking north.

Observation: These waste tires were piled east of the container, the nearer tires are against the facility's southern fence.

Investigator Weir was inside the building talking with the business owner, Carlos Cisneros while Investigator Pusateri photographed and measured the waste tire piles. Mr. Cisneros stated that waste tires had built up because his baling machine was broken and it was going to be another three weeks before it was back up and operating.



Facility: Charlie's Tire Recycling, TPID 1527952-01

Location: 1151 E. Lanzit Avenue, Los Angeles, CA 90059, Charlie's Tire Recycling

Taken: 08-25-11 by Investigator Doreen Pusateri at 12:14 p.m. using Investigator Weir's camera.

View: Taken from outside the facility gate and east of the gate the length of a shipping container and looking to the north-east.

Observation: These waste tires were piled east of the container, the nearer tires are against the facility's southern fence and the stacked tires are against the southern wall of the facility. There were other waste tire piles as well that are shown in other photographs.

Investigator Weir was inside the building talking with the business owner, Carlos Cisneros while Investigator Pusateri photographed and measured the waste tire piles. Mr. Cisneros stated that waste tires had built up because his baling machine was broken and it was going to be another three weeks before it was back up and operating.



Facility: Charlie's Tire Recycling, TPID 1527952-01

Location: 1151 E. Lanzit Avenue, Los Angeles, CA 90059, Charlie's Tire Recycling

Taken: 08-25-11 by Investigator Doreen Pusateri at 12:16 p.m. using Investigator Weir's camera.

View: Taken from inside the facility at the southeast corner of the facility looking north. Behind the photographer is the waste tire pile that is against the south facility fence and shown in photographs two and three.

Observation: These waste tires were piled east of the container, the nearer tires are against the facility's southern fence.

Investigator Weir was inside the building talking with the business owner, Carlos Cisneros while Investigator Pusateri photographed and measured the waste tire piles. Mr. Cisneros stated that waste tires had built up because his baling machine was broken and it was going to be another three weeks before it was back up and operating.



Facility: Charlie's Tire Recycling, TPID 1527952-01

Location: 1151 E. Lanzit Avenue, Los Angeles, CA 90059, Charlie's Tire Recycling

Taken: 08-25-11 by Investigator Doreen Pusateri at 12:17 p.m. using Investigator Weir's camera.

View: Taken from the back (east) side of the facility and the northern end looking south.

Observation: The pictured vehicle is non-operational and has always been parked at the back of the facility.

Investigator Weir was inside the building talking with the business owner, Carlos Cisneros while Investigator Pusateri photographed and measured the waste tire piles. Mr. Cisneros stated that waste tires had built up because his baling machine was broken and it was going to be another three weeks before it was back up and operating.



Waste Tire Survey & Inspection Report

Survey Form - Page 1

Inspection Report Number

I1 - 1163424

State of California
CalRecycle 181 (Rev. 10/10)
Dept. of Resources Recycling and Recovery (CalRecycle)

BLUE OR BLACK INK PEN

Part A - Survey

Business Profile

TPID - Site Suffix: 1527952-01

Local Identifier: CD 15- MD 102

Business or Facility Name: CHARLIE'S TIRE RECYCLING

Physical Address: 1151 E LANZIT AVE
LOS ANGELES, CA 90059

Business Rep: CARLOS CISNEROS Title: OWNER

Tire Count (Whole/PTE): 5,826

GPS Latitude

Longitude

Business Type (Fill all that apply)

- ☐ New Tire Dealer ☐ Auto Repair ☐ Trucking Fleet ☐ Government ☐ Retreader ☐ Dismantler ☐ Tire Derived Fuel
- ☐ Used Tire Dealer ☐ Auto Body ☐ Car Dealer ☐ Collection ☐ Crumb Rubber
- ☐ Service Station ☒ Hauler ☐ Agriculture ☐ Shredder ☐ Other

Inspection Details

Inspection Type (Fill one)

- ☐ Routine ☒ Re-inspection ☐ Referral ☐ Observation

If Referral, choose referral type (Fill one)

- ☐ CHP ☐ CalRecycle ☐ Complaint ☐ Educational Visit ☐ Other

Inspected By

Inspector

19-102 Pusateri Weir

Inspection Date

10/11/11

Time In

11:10 AM

Time Out

12:00 PM

Operational Status (Fill one only)

- ☒ Active
☐ Closed
☐ Inactive
☐ Planned

Tire Type (Fill all that apply)

- ☒ Passenger
☐ Altered
☒ Truck
☐ OTR

Business Role (Fill all that apply)

- ☒ Generator
☒ Hauler
☒ End-Use

Storage Type (Fill all that apply)

- ☒ Outdoor
☐ Indoor
☒ Container

Part B - Inspection of Waste Tire Dealer, Generator, Hauler and End-Use Facility

| V | A | HAULING AND MANIFEST REQUIREMENTS |
|----------------------------------|-----------------------|---|
| <input type="radio"/> | <input type="radio"/> | PRC § 42951 - Waste Tire Hauler Registration and Transport of Tires |
| <input type="radio"/> | <input type="radio"/> | PRC § 42953 - Contracts with Registered Waste Tire Haulers |
| <input type="radio"/> | <input type="radio"/> | PRC § 42956 - Registration/Decal in Vehicle |
| <input type="radio"/> | <input type="radio"/> | 14 CCR § 18459 - Responsible Entities Complying with Manifesting Requirements |
| <input type="radio"/> | <input type="radio"/> | 14 CCR § 18459.1 - Tire Program ID Number from CalRecycle |
| <input type="radio"/> | <input type="radio"/> | 14 CCR § 18459.2.1 - Submittal of Comprehensive Trip Logs within 90 days |
| <input type="radio"/> | <input type="radio"/> | 14 CCR § 18459.3 - Retention of Comprehensive Trip Logs for 3 years |
| <input checked="" type="radio"/> | <input type="radio"/> | 14 CCR § 18460.2 - Manifest System Requirements for Registered Waste Tire Haulers |
| <input type="radio"/> | <input type="radio"/> | 14 CCR § 18461 - Manifest System Requirements for Waste Tire End-Use Facilities |
| <input type="radio"/> | <input type="radio"/> | 14 CCR § 18462 - Manifest System Requirements for Tire Dealers or Waste Tire Generators |
| <input type="radio"/> | <input type="radio"/> | Other: § |

ENFORCEMENT STATUS

- ☒ Notice Of Violation ☐ Extension

Compliance Deadline

Date: / /
(Required for NOV or EXT)

- ☒ Referred / CalRecycle Enforcement

- ☐ In Compliance - No Violations

Comments

MINOR FACILITY PERMIT IS REQUIRED.
*S.DOLAN ASSISTED IN ON LINE PROCESS.

Inspection Form Included: ☒

Comments Included: ☒

Business Rep's Signature

Phone Number

Inspector's Signature

Phone Number

INSTRUCTIONS ON BACK

Correct: ☒ Incorrect: ☒ ☒

EXAMPLE 123

White Copy: CalRecycle

Yellow Copy: Operator

Pink Copy: LEA

62081

RM-4103547-2854321

Waste Tire Survey & Inspection Report

Inspection Form - Page 2

SURVEY REQUIRED

BLUE OR BLACK INK PEN

Part C - Facility Information

Business Profile

TPID - 1527952-01
Site Suffix:
SWIS Number:

Inspection Details

Inspection Report Number: I1-1163424
Inspection Number on the associated Survey form (Page 1)
Photos Taken ☒ Yes ☐ No

Property Owner

1997 ADAMS INVESTORS LLC, 8720 SAN PEDRO ST, LOS ANGELES, CA 90003
(323) 789-7800

Exempt Business Type (Fill if applicable)

☐ PRC § 42823.5 - Cement Manufacturing Plant with written verification that the facility qualifies for exemption

Excluded Business Types (Fill if applicable)

- ☐ PRC § 42808 - Permitted Solid Waste Facility (Landfill, Transfer Station)
- ☐ 14 CCR § 18420 (a) (2) - Agricultural < 5,000 tires incapable of holding water & used for bumpers or ballast
- ☐ 14 CCR § 18420 (a) (4) - Tire retreading facility with no more than 3,000 waste tires on premises
- ☐ 14 CCR § 18420 (a) (6) - Auto dismantler storing no more than 1,500 waste tires for less than 90 days
- ☐ 14 CCR § 18420 (a) (7) & (e) - Tire dealer storing no more than 1,500 waste tires for 90 days

Permitted Regulatory Status (Fill one)

- ☐ Permitted ☐ Exempt
- ☐ Excluded ☒ Unpermitted
- Facility Type (Fill one)
- ☒ Major WTF (≥ 5,000 Tires)
- ☐ Minor WTF (500 - 4,999 Tires)

Part D - Inspection of Waste Tire Facility

| WASTE TIRE STORAGE STANDARDS | | V.I.A. | |
|---|--|----------------------------------|---|
| Permit Requirements | | <input type="radio"/> | <input type="radio"/> |
| <input checked="" type="radio"/> | PRC § 42924 - Major Waste Tire Facility Permit | <input type="radio"/> | 14 CCR § 17352 - Site Security |
| <input type="radio"/> | PRC § 42834 - Minor Waste Tire Facility Permit | <input type="radio"/> | <input type="radio"/> (a) Signs <input type="radio"/> (b) Site Attendant <input type="radio"/> (c) Access |
| <input type="radio"/> | PRC § 42850(a) - Complies with Terms of Permit | <input type="radio"/> | 14 CCR § 17353(a) - Vector Control |
| <input type="radio"/> | 14 CCR § 18420(a) - Applicable for Permit | <input checked="" type="radio"/> | <input type="radio"/> (1) Impermeable Barrier <input type="radio"/> (2) Approved Vector Plan |
| <input checked="" type="radio"/> | 14 CCR § 18423 - Filing Application for Permit | <input type="radio"/> | 14 CCR § 17354 - Storage of Waste Tires Outdoors |
| <input type="radio"/> | 14 CCR § 18432 - Operations Plan | <input checked="" type="radio"/> | <input checked="" type="radio"/> (a) Storage Units |
| <input type="radio"/> | 14 CCR § 18433 - Emergency Response Plan | <input type="radio"/> | <input checked="" type="radio"/> (b) Fire Lanes |
| Recordkeeping Requirement | | <input type="radio"/> | <input checked="" type="radio"/> (c) Fire District Requirements |
| <input type="radio"/> | 14 CCR § 18447 - Records Available | <input type="radio"/> | <input type="radio"/> (d) Drainage |
| <input type="radio"/> | 14 CCR § 17351 - Fire Prevention Measures | <input type="radio"/> | <input type="radio"/> (e) Slope/Grade |
| <input type="radio"/> (a) Communication Equipment | <input type="radio"/> (c) Water Supply | <input type="radio"/> | <input type="radio"/> (f) Siting (New Facilities) |
| <input type="radio"/> (b) Fire Equipment | <input type="radio"/> (d) Other Requirements | <input type="radio"/> | <input type="radio"/> (g) Rim Removal |
| | | <input type="radio"/> | <input type="radio"/> (h) Protection from Pyrolytic Oil Runoff |
| | | <input type="radio"/> | 14 CCR § 17356 - Indoor Storage |
| | | <input type="radio"/> | Facility Compliance with NFPA 231D-1999 |

Comments

HAULER PICKS UP A TRAILER FULL OF TIRES W/O LEAVING A MANIFEST.

PACIFIC TRANSPORT
1322 E. PACIFIC COAST HWY. STE #8
NORTHINGTON CALIFORNIA 90744

INSTRUCTIONS ON BACK

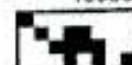
Correct ☒ Incorrect ☐ Example ☐ 1 2 3

White Copy: CIWMB

Yellow Copy: Operator

Pink Copy: LEA

15386



Waste Tire Survey & Inspection Report Comments Form

State of California
CIWMB 185 (Rev 04/04)
California Integrated Waste Management Board

SURVEY REQUIRED

BLUE OR BLACK INK PEN

Business Profile

TPID -
Site Suffix: 1527952-01

Inspection Details

Inspection
Report
Number: I1-1163424
Inspection Number on the associated Survey form (Page 1)

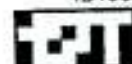
Comments

Handwritten notes and diagrams on the form:

- Top left: "HEA do-NON" and a box containing "270".
- Top center: "E" and "SHED" with "720" and "100" written vertically.
- Top right: "35 TIE" and "110" written vertically.
- Center: A large oval containing "100" and "150" written vertically.
- Bottom left: "270" and "MOBILE" written vertically.
- Bottom center: "N" and "110" written vertically.
- Bottom right: "110" and "110" written vertically.
- Right side: "Fence line" written vertically.
- Bottom: "N" and "110" written vertically.

EXAMPLE 123

42408



White Copy: CIWMB

Yellow Copy: Operator

Pink Copy: LEA



TPID: 1527952

Report No.: 11-1163424

Facility Name: Charlie's Tire Recycling

Physical Address: 1151 E. Lanzit Avenue, Los Angeles, CA 90059

Taken: 10-11-11 at 11:18 a.m. by Investigator J. Weir, Badge No. 1031

Observation: Some of the waste tires stacked and round-piled on the south-side of the facility looking to the northeast. The waste tires were on the ground, in trucks and a fully loaded shipping container waiting for pick-up.



TPID: 1527952

Report No.: I1-1163424

Facility Name: Charlie's Tire Recycling

Physical Address: 1151 E. Lanzit Avenue, Los Angeles, CA 90059

Taken: 10-11-11 at 11:19 a.m. by Investigator J. Weir, Badge No. 1031

Observation: The back-side of the facility taken from the southeast corner looking north. There were stacked waste tires, a round-pile of waste tires and a broken-down truck loaded with waste tires.



TPID: 1527952

Report No.: 11-1163424

Facility Name: Charlie's Tire Recycling

Physical Address: 1151 E. Lanzit Avenue, Los Angeles, CA 90059

Taken: 10-11-11 at 11:19 a.m. by Investigator J. Weir, Badge No. 1031

Observation: Some of the waste tires stacked and round-piled on the south-side of the facility looking to the northwest from the south-east corner of the building.



TPID: 1527952

Report No.: II-1163424

Facility Name: Charlie's Tire Recycling

Physical Address: 1151 E. Lanzit Avenue, Los Angeles, CA 90059

Taken: 10-11-11 at 11:20 a.m. by Investigator J. Weir, Badge No. 1031

Observation: The front of the facility at the southwest corner of the building looking north. There were a few waste automobile tires and a large pile of waste motorcycle tires.

**RACING TRANSPORT INC.**1322 E. Pacific Coast Hwy. Ste. #B
Wilmington, CA 90744Tel. (310) 834-6849
(310) 834-7619
Fax (310) 834-6814

DELIVERY RECEIPT

DATE: 1

SHIPPER:

125

CONSIGNEE:

☐ EMPTY ☐ LOADED ☐ FLATBED ☐ TRAILER ☐ 20 ☐ 40 ☐ 45 ☐ 48 ☐ 53☐ STD
☐ RFR
☐ HC

VESSEL:

DROP

BOOKING:

BILL OF LADING:

DESTINATION:

TIME ARRIVED: _____

TIME DEPARTED: _____

WAITING TIME: _____

CONTAINER #: _____

CHASIS #: _____

SEAL #: _____

CALL TO ARRANGE
RETURN OF EMPTY
EQUIPMENT AT:
(310) 834-6849**REMARKS:**

☐ H/M

WEIGHT: _____

DAMAGE: B-BRUISE, BR-BROKEN, BE-BENT, C-CUT, D-DENT, H-HOLE, M-MISSING* RECEIVED IN GOOD CONDITION
* EXCEPT AS NOTED

DRIVER SIGNATURE _____

PRINT YOUR NAME _____

APPENDIX B

**APPLICABLE CALIFORNIA
STATUTE AND REGULATIONS**

APPENDIX B

PUBLIC RESOURCES CODE

§ Section 42824. Transporting Waste Tires to an Unpermitted Major Waste Tire Facility

On and after September 1, 1994, it is unlawful to direct or transport waste tires to a major waste tire facility or to accept waste tires at a major waste tire facility unless the operator has obtained a major waste tire facility permit.

§ Section 42834. Transporting Waste Tires to an Unpermitted Minor Waste Tire Facility

On and after July 1, 1994, it is unlawful to direct or transport waste tires to a minor waste tire facility or to accept waste tires at a minor waste tire facility unless the operator has obtained a major waste tire facility permit.

§ Section 42850. Complies with Terms of Permit

(a) Any person who negligently violates any provision of this chapter, or any permit, rule, regulation, standard, or requirement issued or adopted pursuant to this chapter, is liable for civil penalty of not less than five hundred dollars (\$500) or more than five thousand dollars (\$5,000), for each violation of a separate provision or, for continuing violations, for each day that the violation continues.

§ Section 42953. Contracts With Registered Waste Tire Haulers

Any person who gives, contracts, or arranges with another person to transport waste or used tires shall utilize only a person holding a valid waste and used tire hauler registration from the board, unless the hauler is exempt as specific in Section 42954.

TITLE 14, DIVISION 7, CHAPTER 3, Minimum Standards for Solid Waste Handling and Disposal

Article 5.5, Section 17351. Fire Prevention Measures.

(a) Communication equipment shall be maintained at all facilities, if they are staffed by an attendant, to ensure that the site operator can contact local fire protection authorities in the event of fire.

(b) Adequate equipment to aid in the control of fires must be provided and maintained at the facility at all times. At a minimum the following items shall be maintained on site and in working order at all times:

- (1) One (1) dry chemical fire extinguisher;
- (2) One (1) two and one-half gallon water extinguisher;
- (3) One (1) pike pole or comparable pole at least 10 feet in length to separate burning from nonburning tires; and
- (4) One (1) round point and one (1) square point shovel.
- (5) One (1) dry chemical fire extinguisher with a minimum rating of 4A:40BC shall be carried on each piece of fuel-powered equipment used to handle waste tires;

(c) An adequate water supply shall be available for use by the local fire authority. The water supply shall be capable of delivering at least 1000 gallons per minute for a duration of at least three hours and at least 2000 gallons per minute for a duration of at least three hours if the sum of altered plus whole waste tires exceeds 10,000.

(d) All of the requirements of subsections (b) and (c) shall apply unless the local fire authority having jurisdiction over a particular facility determines that a different requirement is necessary or

APPENDIX B

adequate to meet the intent of these regulations for fire control and the protection of life and property. This may include the availability of earth moving equipment or other approved means to control the tire fire. Any change in, or any new, local fire authority requirements that affect the requirements in this Article shall be reported to the Board by the operator within 30 days after their effective date. Any requirements approved by the local fire authority shall be subject to Board concurrence at the time of issuance or renewal of the permit.

Article 5.5, Section 17352. Facility Access and Security.

(a) Signs--for facilities open to the public a sign shall be posted at the facility entrance stating the name of the operator, operating hours, and site rules.

(b) Attendant--An attendant shall be present when the facility is open for business if the facility receives tires from persons other than the operator of the facility.

(c) Access--An access road to the facility must be maintained passable for emergency equipment and vector control vehicles at all times. Unauthorized access must be strictly controlled.

Article 5.5, Section 17353. Vector Control Measures.

(a) All waste tires shall be stored in a manner which prevents the breeding and harborage of mosquitoes, rodents, and other vectors by any of the following means:

(1) Cover with impermeable barriers other than soil to prevent entry or accumulation of precipitation; or

(2) Use of treatments or methods to prevent or eliminate vector breeding as necessary, provided the control program is approved as appropriate and effective by the local vector control authority, if such authority exists. If no local vector control authority exists, the local Environmental Health Department or other local agency with authority over vector control shall approve the vector control plan. Any control program approved by the local vector control authority shall be subject to Board concurrence at the time of issuance or renewal of the waste tire facility permit.

Article 5.5, Section 17354. Storage of Waste Tires Outdoors.

(a) Except as provided in subsection (c) waste tires shall be restricted to individual piles, which include stacks and racks of tires that do not exceed 5,000 square feet of contiguous area. Any pile shall not exceed 50,000 cubic feet in volume nor 10 feet in height. Piles shall not exceed 6 feet in height when within 20 feet of any property line or perimeter fencing. Waste tires shall not be located within 10 feet of any property line or perimeter fencing. The minimum distance between waste tire piles and between waste tire piles and structures that are located either on-site or off-site shall be as specified in Table I.

(b) Except as provided in subsection (c) waste tires shall be separated from vegetation and other potentially flammable materials by no less than 40 feet. Accessible fire lanes with a minimum width as specified in Table I shall be provided between tire storage units. Fire lanes shall be kept free of flammable or combustible material and vegetation. Access to fire lane(s) for emergency vehicles must be unobstructed at all times. Open flames, blow torches, or highly flammable materials, including but not limited to, tire inner tubes, are prohibited within 40 feet of a waste tire pile.

APPENDIX B

Table I
Minimum Separation Distances (Ft.)

| Length of Exposed Face (Ft.) | Tire Storage Pile Height (Ft.) | | |
|------------------------------|--------------------------------|-----|-----|
| | 6 | 8 | 10 |
| 25 | 50 | 56 | 62 |
| 50 | 66 | 75 | 84 |
| 100 | 84 | 100 | 116 |
| 150 | 99 | 117 | 135 |
| 200 | 111 | 130 | 149 |
| 250 | 118 | 140 | 162 |

(c) All of the requirements in subsections (a) and (b) shall apply to the storage of waste tires unless, for any particular requirement, the local fire authority having jurisdiction over a particular facility determines that a different requirement is necessary or adequate to meet the intent of these regulations for the prevention of fire and the protection of life and property. Any change in, or any new, local fire authority requirements that affect the requirements in this Article shall be reported to the Board by the operator within 30 days after their effective date. Any requirements approved by the local fire authority shall be subject to Board concurrence at the time of issuance or renewal of the permit.

(d) Surface water drainage shall be directed around and away from the waste tire storage area.

(e) Waste tires at existing waste tire facilities shall not be stored on surfaces with grades that will interfere with firefighting equipment or personnel unless mitigation measures have been approved in writing by the local fire authority, or a fire safety engineer registered by the State of California. Measures established by a fire safety engineer shall be subject to approval by the local fire authority.

(f) New waste tire facilities shall not:

- (1) Be sited in any area where they may be subjected to immersion in water during a 100-year storm unless the operator demonstrates to the Board that the facility will be designed and operated so as to prevent waste tires from migrating off site; or
- (2) Be located on sites with grades or other physical features that will interfere with firefighting equipment or personnel.

(g) Tires must be removed from rims immediately upon arrival at the facility.

(h) The site shall be designed and constructed to provide protection to bodies of water from runoff of pyrolytic oil resulting from a potential tire fire.

APPENDIX B

TITLE 14, DIVISION 7, CHAPTER 6, Permitting of Waste Tire Facilities and Waste Tire Hauler Registration and Tire Manifests

Article 1, Section 18420. Applicability.

(a) The operator of a waste tire facility shall acquire a waste tire facility permit in accordance with the requirements of this Chapter and PRC section 42808, unless any of the following conditions exist:

- (1) The waste tires are stored or disposed at a permitted solid waste disposal facility. The permit of the solid waste facility shall be revised pursuant to Public Resources Code (PRC) section 44014 and shall conform to the requirements of Division 7, Chapter 3, Article 5.5.
- (2) The facility is using fewer than 5,000 waste tires for agricultural purposes and the waste tires have been rendered incapable of holding accumulations of water.
- (3) The facility is storing fewer than 500 waste tires.
- (4) The facility is a tire treading business and not more than 3,000 waste tires are kept on the premises.
- (5) (Reserved)
- (6) The facility is an automobile dismantler, as defined in Sections 220 and 221 of the Vehicle Code, who stores waste tires on the premises of the auto dismantler for less than 90 days if not more than 1,500 waste tires are ever accumulated on the dismantler's premises.
- (7) The facility is a tire dealer who stores waste tires on the dealer's premises for less than 90 days if not more than 1,500 waste tires are ever accumulated on the dealer's premises.

(b) For purposes of determining the applicability of this chapter 6, altered waste tires shall be counted as passenger tire equivalents (PTE).

(c) (Reserved)

(d) For the purposes of Chapter 6, Articles 2 through 7 and Articles 9, 10 and 11 apply to operators and/or businesses described under Chapter 6, Article 1.

(e) A "used tire dealer" is only authorized to lawfully accept used or waste tires without a waste tire facility permit if the used tire dealer is in compliance with Section 17225.820, Article 4.1, Chapter 3 and has fewer than 1500 waste tires in accordance with Section 42808(c).

Article 2, Section 18423. Filing of Application

(a) Every operator of a new or existing major or minor waste tire facility shall submit to the Board a completed original and two (2) copies of the waste tire facility permit application, as specified in Article 4 of this Chapter.

(b) Upon receipt of the application, the Board shall mark the application package with the date of receipt. Within 30 days of receipt, the Board shall examine the application package to determine whether it meets the requirements contained in this chapter and either accept the application as complete or reject the application. If the Board finds the application meets the requirements, the application shall be accepted as complete. If the Board determines that the application does not conform to the applicable requirements, it shall notify the applicant in writing enumerating the grounds for rejection.

APPENDIX B

Article 4, Section 18432. Operation Plan

(a) The Operation Plan, as required by 18431(b) shall demonstrate conformance with the technical standards contained in 14 CCR, Division 7, Chapter 3, Article 5.5.

(b) The operator shall file amendments to the Operation Plan whenever necessary to keep the information contained in it current.

Article 4, Section 18433. Emergency Response Plan

(a) The operator of the waste tire facility shall maintain a copy of the Emergency Response Plan at the facility. At the time of permit issuance the approved Emergency Response Plan shall be forwarded to the local fire authority by the permittee. The plan shall be revised as necessary to reflect any changes in the operations of the waste tire facility or requirements of the local fire authority. The local fire authority and the Board shall be notified of any changes to the plan within 30 days of the revision.

(b) The operator of the facility shall immediately notify the Board in the event of a fire or other emergency if that emergency has potential significant off-site effects. Within 30 days of any such emergency, the operator shall submit to the Board a written report describing the cause(s) of the emergency, the results of actions taken, and an analysis of the success or failure of these actions.

Article 7, Section 18447. Retention of Records

Copies of all records required to be kept under this Chapter shall be retained by the operator for three (3) years at the place of business and shall be made available at the site during normal business hours for inspection and photocopy by any representative of the Board or any individual authorized by the Board.

Article 8.5, Section 18459.2.1. Submittal of the Comprehensive Trip Log, Manifest Form, Tire Trip Log, Retreader Trip Log, and Electronic Reporting to the Board

As provided in this section, the Comprehensive Trip Log, or Manifest Form and Tire Trip Log, or Retreader Trip Log shall be submitted to the CIWMB by the waste tire generator, waste tire hauler or Retreader as specified in (a), (b), (c), or (d).

(a)(1) If the waste tire hauler chooses to use the Manifest form, the waste tire generator shall submit the completed original Manifest Form to the Board within ninety (90) days of the load shipment. The Manifest Form and Tire Trip Log shall be in the waste tire hauler's possession while transporting used or waste tires. The Manifest Form and the Tire Trip Log shall be shown upon demand to any representative of the Board, any officer of the California Highway Patrol, any peace officer, as defined in Section 830.1 or 830.2 of the California Penal Code, or any local public officer designated by the Board.

(2) If the waste tire hauler chooses to use the Tire Trip Log, the waste tire hauler shall submit the completed original Tire Trip Log to the Board within ninety (90) days of the load shipment.

(3) The Manifest Form and Tire Trip Log shall not be used after December 31, 2005.

(b) On or before January 1, 2006, the waste tire hauler shall submit a copy of the completed Comprehensive Trip Log to the Board within ninety (90) days of the load shipment. The Comprehensive Trip Log shall be in the waste tire hauler's possession while transporting used or waste tires. The Comprehensive Trip Log shall be shown upon demand to any representative of the Board, any officer of the California Highway Patrol, any peace officer, as defined in Section 830.1 or 830.2 of the California Penal Code, or any local public officer designated by the Board.

APPENDIX B

(c) If the waste or used tire is a tire casing being shipped for inspection, retreading, or recapping and is being transported by a Retreader, the waste tire generator may substitute an invoice for the required manifest form provided by the Retreader. The invoice shall contain the date of the transaction, the name of the customer and address, the Tire Program Identification Number of the generator or end use facility, the name of the retreader and address, the quantity of tire casings shipped. A copy of the invoice and Retreader Trip Log shall be in the Retreader's possession while transporting the tire casings. The copy of the invoice and Retreader Trip Log shall be shown upon demand to any representative of the Board, any officer of the California Highway Patrol, any peace officer, as defined in Section 830.1 or 830.2 of the California Penal Code, or any local public officer designated by the Board.

(1) The Retreader shall submit the completed Retreader Trip Log to the Board within ninety (90) days of the load shipment.

(d) If approved by the Board pursuant to Public Resources Code Section 42961.5, any person that is subject to the requirements set forth in above (a), (b), or (c) may substitute their own functionally equivalent form, once approved by the Board, in lieu of the Board required form and submit an electronic report within ninety (90) days of the load shipment to the Board, in lieu of submitting the required form. The electronic report shall include all information required to be on the Comprehensive Trip Log, Retreader Trip Log, or Manifest and Tire Trip Log forms.

DECLARATION OF SERVICE BY CERTIFIED MAIL

Case Name: In the Matter of: RAUL MORENO, OWNER, AND; CARLOS CISNEROS, DBA CHARLIE'S TIRE RECYCLING, OPERATOR.

TPID NO: 1527952, AGENCY NO: 2011-010998-CAO.

I declare:

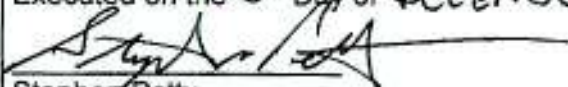
I am employed by the Waste Evaluation and Enforcement Branch of the Compliance and Enforcement Division of the Department of Resources Recycling & Recovery (CalRecycle). I am 18 years of age or older and not a party to this matter. I am familiar with the business practices of CalRecycle for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Compliance and Enforcement Division of CalRecycle is deposited with the United States Postal Service that same day in the ordinary course of business. On December 5th, 2011, I served the attached **CLEAN UP AND ABATEMENT ORDER**, by placing a copy in a sealed envelope with certified mail delivery postage thereon to be fully prepaid, in the internal mail collection system at the CalRecycle, addressed as follows:

RAUL MORENO, OWNER
1151 East Lanzit Avenue
Los Angeles, CA 90059

CHARLIE'S TIRE RECYCLING
CARLOS CISNEROS, OPERATOR
1151 East Lanzit Avenue
Los Angeles, CA 90059

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on the 5th Day of December, 2011, at Sacramento, California.


Stephen Petty
Declarant